# DAVIS FILES **AUTHORITY**

# Contrary Exhibit From Same Author.

(From Saturday's Advertiser)

A conclusion came to the examina-tion of judgment debtor in the case of J. L. Howland vs. Byron O. Clark somewhat abruptly yesterday afternoon. Messrs, Davis and Mead began at each other, as on the former hearing, with mutual protests against interruptions, but the court applied the curb reins promptly and there was no scene devel-oped. Exhibits to show the authority of Davis and to deny it were filed, which revealed considerable of a selfcontradictory attitude on the part of the complaining creditor. Mr. Davis came first with the following:

PLAINTIFF'S EXHIBITS.

"Pomona, California, April 29, 1899.
"George Davis, Esq., Honolulu, H. I.
"Dear Sir: Your name has been given me by the U. S. Consul at Honolulu, and 3 wish to intrust to you the collection of the enclosed note and judg-

"Inasmuch as the time required for an exchange of communications is so great, I wish you would take any steps that may be required to collect the claims without referring the matter back to me, but get the money if it is a pos-

"I send you the original notes and transcripts of the judgments.

"The parties acknowledge the claims as valid but claim that they are unable up thirty-two pounds.

to pay. Of course if neither of them "It is more than a year since I took has anything we will have to wait; but up my full work and in all that time I if there is anything in sight that can be have not lost a day through illness. Dr. subjected to the payment of the claims,

we desire to force payment.

"Trusting that we may receive a favorable report from you in due course,

"Very truly yours,

"HOWARD A. BROUGHTON." An unsigned leaf of a memo, pad con-taining Mr. Broughton's professional card at top, dated "Pomona, California, 10, 3, 90," comes next, in which Mr. 10, 3, 90," comes next, in which Mr. Davis is asked if he will please report what he thinks can be done about the Clark and another matter sent to him. Then there is the following letter from the claimant himself, written on the let-ter paper of the American Beet Sugar

"Oxnard, Cal., 12, 20, '02.
"Geo. A. Davis, Esq., Honolulu, H. I.
"Dear Sir: Some six months ago I wrote you in regard to the judgment you hold against Byron O. Clark for me, you hold against Byron O. Clark for me, but I have not received any reply as seets and they were the ones who sued yet from you, so I write again. When I have not construct again, when I wite again. When I have not established and have any more proceedings stopped for the present. Now what kind of per cent, interest and Mrs. Clark will give as security ten (10) shares Pine give as security ten (10) shares Pine give as security ten (10) shares Pine give me and how long time will you want to pay me in and how will four considered anything due me from turned over to the bank with my other assets and they were the ones who sued signed the copartnership papers he did up not indepting of it. As search was make five copartners I was never called upon to make any agreement with any interested financially in the concern. I know absolutely nothing of it. As search was make five copartners I was never called upon to make any agreement with any interested financially in the concern, or in fact with anybody. I know nothing of any of the acts of the copartners I was never called upon to make any agreement with any interested financially in the concern, or in fact with anybody. I know nothing of any of the acts of the copartners I was never called upon to make any agreement with any interested financially in the concern. I know absolutely nothing of it. As search was make from of the copartners I was never called upon to make any agreement with any one of the copartners I was never called upon to make any agreement with any one of the copartners I was never called upon to make any agreement with any one of the copartners I was never called upon to make any agreement with any one of the copartners I was never called upon to make any agreement with any one of the copartners I was never called upon to make any agreement with any one of the copartners I was never called upon to make any agreement with any one of the copartners I was never called upon to make any agreement with any one of the copartners I was never called upon to Apple stock paid up to par value at \$100 per share, note to be for principal and interest to date. What do you think of the proposition? The settlement will have to be made through you, he will have to pay costs, etc. Please write me full particulars as to costs, all expenses, how much the note is principal and interest, by return mail and oblige.

"Yours,

"J. L. HOWLAND,

"Oxnard, Cal."

### MOTHERS

should know. The troubles with multitudes of girls is a want of proper nourishment and enough of it. Now-a-days they call this condition by the learned name of Anemia. But words change no facts. There are thousands of girls of this kind anywhere between childhood and young ladyhood. Disease finds most of its victims among them. Some of them are passing through the mysterious changes which lead ap to maturity and need especial watchfulness and care. Alas, how many break down at this critical period; the story of such losses is the saddest in the history of home. The proper treat-ment might have saved most of these household treasures, if the mothers had only known of WAMPOLE'S PREPARATION and given it to their daughters, they would have grown to be strong and healthy women. It is palatable as honey and contains all the nutritive and curative properties of Pure Cod Liver Oil, extracted by us from fresh cod livers, combined with the Compound Syrup of Hypo-phosphites and the Extracts of Malt and Wild Cherry. In building up pale, puny, emaciated children, particularly those troubled with Aremia, Scrofula, Rickets, and Pone and Blood diseases, nothing equals it; its tonic qualities are of the highest or-der. A Medical Institution says: "We have used your preparation in treating children for coughs, colds and inflammation; its ap-plication has never failed us in any case, even the most aggra-vated bordering on pneumonia." The more it is used the less will be the ravages of disease from infancy to old age. It is both a food and a medicine,—modern, scientific, effective from the first dose, and never deceives or disappoints. "There is no doubt here and throughout the world,

# A TIRELESS WORKER

A Victim of Nervous Debility, Now a Wonder of Vivacity, Explains the Marvel of the Change.

Mrs. Dora B. Frazier, of No. 140 Althea street, Providence, Rhode Island, is today the very embodiment of vivacity. She is an energetic forewoman in a large laboratory and shows no traces of her recent long struggle with nervous prostration succeeding typhoid pneumo-

"My illness began in 1898," says Mrs. Frazier, "and lasted for about three years in all, and for three months I was confined to my bed. I made occasional attempts to work, but I could only manage to put in two or three days out of a week at the very best. Several death.

"I had a good physician but he could not succeed in getting me out of my

er: Why, these pills are certainly doing me good. We both grew hopeful and I well do I get another kept on taking them steadily for six or row?" "I don't know," we will do I get another row in the row i seven months and then occasionally for some time longer, and all the time my troubles kept lessening until at last they were gone altogether. I got rid of indigestion, headaches, nervousness, sleep-lessness, dragging sensations and irregu-larities of every kind and my weight ran

Williams' Pink Pills 'have made me a well woman and I have no lack of strength or cheerful spirits."

Dr. Williams' Pink Pills are a specific

for all diseases of the blood and nerves. Their power has been tested in the most extreme cases. They are sold by all druggists throughout the world, 0-0-0-0-0-0-0-0-0-0-0-0

DEFENDANT'S EXHIBITS.

Mr. Mead filed the following letters as exhibits: "Oxnard, Cal., May 1, 1902.

"Mr. Byron O. Clark, Wahiawa, H. I. "Dear Sir: Your letter of the 15th inst, received and in answer would say that you were mistaken in your statement that I had sued you, for till I received your letter I did not know that you had been sued, for your note was turned over to the bank with my other viously shown him. At the time he make the payments. Please write metal once just what you want to do in the matter. As to costs of judgment I did not order them made, so I do not feel as Mrs. Strauch. I had no part in devision of the firm for a cent. I never attended any meetings with E. T. Rodgers or Mrs. Strauch. I had no part in devision of the firm for a cent. if I ought to pay them.
"Yours,
"J. L. HOWLAND."

"Oxnard, Cal., Nov. 30, '03. Byron O. Clark, Wahiawa, Oahu, T. H. "Dear Sir: In answer to yours of the letter of January last, asking you several questions, but received no answer. I have written to Davis the lawyer three times in regard to the judgment but lability to me. This was hardly necessary notified not to press the case. Will you please find out and let me know at ones. lease find out and let me know at once the sum total of the judgment to date including costs and interest. Also please find out what Davis' bill is and as soon as I hear from you I will make you was a hoseman in the Central Fire some kind of a proposition.

"Yours,

"J. L. HOWLAND."

This letter was marked answered on Jan. 18, 1904, and Mr. Mead stated that Mr. Clark made a proposition to Mr. Howland but received no reply.

Mr. Davis stated to the court that he had not had anything to do with the bank, his instructions having come from Mr. Broughton and Mr. Howland, He did to the control of t did not remember ever receiving orders

not to press the case.

Mr. Clark was called to the stand again. After he had answered a few questions, Judge Robinson cut the proceedings short with the decision: "Let the order of examination be dis-charged,"

COURT NOTES. Judge Gear concluded the hearing of the Parker guardianship matter yester-day morning, with an order to the parties to file briefs. S. H. Derby and A. A. Wilder addressed the court for the quar-

Judge Robinson signed a decree for the

CHAMBERLLAIN'S Colle, Cholers and Diarrhoea Remedy is everywhere and Diarrhoea Remedy is everywhere asknowledged to be the most successful medicine in use for lower existing plaints in use for lower existing plaints in the evening while is any nor lower existing the company of his hrother officer's and home in Madicipality in can be depended upon even in the most severe and cures in the most severe and dangerous exact of the most severe and cures in the four interest of the evening while is now for the remaining the convergence of the convergence of the convergence of the evening while is now for the remaining the large of the lowers and dangerous exact of the most severe and cures in the Hollister Drug Co's store.

That the decision to commit suicide was arrived at only just hedge will be earthed and forwarded and forwarded and forwarded in Madicipal to the theory of the convergence of the conver

# SEDGEBEER GETS OUT OF STRAUCH COMBINATION

HAWAIISIN GAMESTEAN DESDAY POLICY OF

(From Sunday's Advertiser) humanity and especially of the wageplaining to do in which he was assisted by the eminent financier, George Markham. Then Mr. Sedgebeer resigntimes I was actually at the point of threatening him with death and resuch an existence. I nen I read of Dr. Republican party." The Attorney I would just permit him to use my Williams' Pink Pills for Pale People in General advised Mr. Strauch to make name as a favor. One day he came a Providence paper and I thought I his appeal directly to the Advertiser, along and introduced a man by the would just try them. Before I got but nothing came of it, The Home hame of Capt. E. T. Rodgers. I have through the first box I said to my moth-Builder did, however, approach a re-

"Well do I get another blast tomor-"I don't know," was the reply; "there's plenty of material I guess." "Oh, keep it up, keep it up!" said Mr. Strauch with sprightly humor. "You are giving me the best kind of an advertisement. Why I've done more good work! Keep it going right along." SEDGEREER BREAKS OFF

A letter received at the Advertises yesterday was as follows:

"Charles H. Sedgebeer has this day severed his connection with the Co-Operative Home Purchasing Society. "(Signed)

"CHAS. H. SEDGEBEER."

In the paper on file at the Treasury Department it is stated that Fanny Strauch, E. T. Rodgers, and C. H. Stratch, E. T. Rodgers, and C. H. court of course I had to state that I may have been sought through weak-sedgebeer comprise the copartnership which is running the Co-Operative. I knew nothing of the work of the copartnership and only know regarding the foreman of the Makiki Fire lost there yesterday afternoon and asked him concerning the letter. Mr. Sedgebeer said that he realized that he had become a dummy partner in Strauch's

or considered anything due me from it. I never considered myself liable to the firm for a cent. I never attended ing the Society's loan scheme and I have had absolutely no knowledge as to how the business was being carried on. On account of the Advertiser's showing up of the Society I demanded this morning of Mr. and Mrs. Strauch that my name be dropped as a mem-

"How did you happen to get mixed

Station I spent one of my liberty days lady approached pleasantly and bade the proper quarters.

me the time of day. They asked if I Mr. P. E. R. Strauch, that friend of were a stranger in Honolulu. I said no -that I was a fireman and up there to earning native and Portuguese, put in spend my liberty day. We had a a full day yesterday. Bright and early pleasant that while viewing scenery he bought an Advertiser and proceed- from the Heights and Mrs. Strauch ed to warm up over its contents. When asked me to call upon herself and business opened, he had plenty of ex- husband, and little girls, when I again had a day off. I had few acquaintances in Honolulu at that time and appreciated this as a kindness to a ed from the directorate. Along in the stranger. I called on Mr. and Mrs. afternoon Mr. Strauch professed to Strauch and became quite friendly have received an anonymous letter with them but never talked concerning their own or my business affairs. alizing who his journalistic friends Through them I got acquainted with ette paper. I told him I did not have were went down the street to the Sign others. On the first of September, 1903, of the Calf and handed the missive to I became foreman at the Makiki Fire weak state. It was hard for me to retain any food and my weight dropped down to seventy-five pounds. I had a great deal of dizziness and suffocating tiser to stop the row. "Tell Mr. Thursthe Bulletin. His next known step was Station. Along in March of this year spells. One of my legs was swollen so as to interfere with my walking. I could get scarcelv any sleep, my color was very pale and I suffered from irregularities that are very painful and depressing to women. depressing to women, right. Tell Mr. Thurston that his patto become financially interested. He ald it required no money on my part. I would just permit him to use my along and introduced a man by the ered with blood, seen Rodgers in Honolulu a few times Strauch said Rodgers was also his friend and I understood he would allow Strauch to use his name in the new company in the same way as not find the wound of entrance but Strauch wished to use mine. So in found the tongue black and powder return for the friendship that Strauch stained. The wound of exit was directand his wife had previously shown me ly in center of the back of the neck, I said I would permit it. I signed a and it was his opinion that the spinal business today than at any time since brief copartnership-well I hardly know what I really did sign the way things important lacerations, have turned out, but I did not sign Besides the note above referred to, anything for which I ever expected to two checks with the ink hardly dry have to pay out one cent or receive upon them were found near by. a cent for. In fact I never expected was a check for \$130 made out to Lieut, to hear of the thing again. Between Trotter, and the other was for \$63 in that time and now I have never seen favor of the 92nd company, being comany of their books or discussed any pany funds in the possession of the plans with them and knew of their suicide. operations only when I read the account in the Advertiser and was call-that the suicide concerned financial ed upon in court to state whether I was matters, for his affairs are reported to

> Station and a reporter called upon him the papers. I do not know how much proposed. Before the party was ready cash they have received or whether to return Lieutenant Garber went to they have received any."
>
> "What do you know of the Equitable and slept.

"Not a thing. I have as I said before, had no business relations with might have been calmed down. On Strauch and Rodgers except signing the ontrary, not obtaining a cigarette, the first paper and insisting today, he as to have made up his mind building contracts. scheme, in having my name dropped as out the two checks and the explanatory a supposed 'copartner.'

#### BRIEF BANK ACCOUNT

Cashier Cooper of the First National Bank found, on examining his books twenty-eight years of age, a good-lookyesterday, that Strauch had made one deposit there of \$146 and after leaving favorite among his brother officers and pepper is worth from ten to eighteen the money a short time had drawn it the new friends he had made here. He all out again. Probably this was done was a particularly bright young man, good market for it. The pepper plant, so the name of the bank could be used quick in reply and a good consersationon the Society's letterheads as the alist. It is said that he was engaged place of deposit.

By Tuesday at the latest, the Advertiser hopes to have, by cable, the facts about the Equitable Underwrit- now command the 92nd company, in a little trip to Pacific Heights. I ing and Trust Co., the alleged backer A strange fate seems to be following was seated at a table eating ice cream of the Strauch Home Purchasing So- the two companies which arrived here alone when Mrs. Strauch and another clety. Inquiry was made yesterday in but a couple of months ago from the

# REGULAR ARMY OFFICER TAKES HIS OWN LIFE

Lieut. Garber, U. S. Coast Artillery, to Escape the Thrall of Drink, Commits Suicide at Camp McKinley.

(From Monday's Advertiser) Tragic was the suicidal death early

which consists of lots 1 to 8, Kaimuki tract, valued at \$2400.

With reference to the petition of Charles Phillips, administrator, for leave to sell real estate of the late Harry Congdon's estate, F. E. Thompson and C. F. Clemons have entered their appearance as attorneys on behalf of Aggie Congdon, widow of decedent.

ger had been pulled.

A note hastily scribbled just before the fatal shot was fired was found by his brother officers lying upon the table in Lieut. Garber's room, and this supplies a reason as to the terrible decision the young man had reached to end his life. The note said simply: "I cannot stop drinking."

Judge Robinson signed a decree for the adoption of Leon Sterling by Joe Enos and Kanohokula Enos with full rights of inheritance. The child is ten years States Army. A large Colt's army of age and both his parents are dead.

States Army. A large Colt's army arrived a few minutes later, the officer was beyond medical aid and exwill take care of the maimed. Wh Kanohokula Enos was appointed guardied the young officer's life, and death and it is property of Leon Sterling, ensued in a few minutes after the trigwhich consists of lots 1 to 8, Kaimuki ger had been pulled.

A pole health. him, although his eyes, as he follow-ed their movements about the room. turning to their vocations, then they had an appealing look in them, as if to ask forgiveness for his rash act.

The artillery camp was plunged into That the decision to commit suicide the partition of July parads was arrived at only just before the today, may not appear to be yearly today.

"I knew the deceased officer very well, and have know him since June, 1993. We have been living in the same tent at Camp McKinley, occupying adjoining rooms. We had just returned from a luau given as a farewell function in honor of Livit. Hamilton who tion in honor of Lieut. Hamilton who was shortly to depart for the coast, both of us returning to the camp together. I had just retired when I heard a shot followed by something falling. I ran into his room and found the lieutenant lying on his back with blood running from his head on to the floor.

"I spoke to him, called him by name and asked him what he had done. He seemed to be semi-conscious, but did not speak. I immediately ran over to Dr. Baker's quarters and called him to attend the wounded man. Dr. Baker came on a run in his night-clothes followed by Captain Nichols, who had heard me call. Lieut, Garber, however, was practically dead when we came

"When Lieut, Garber and I came home I said good night to him but he Ga not answer. A minute before the shot was fired he asked me for a cigarans.

Captain F. C. Nichols, senior officer in command at Camp McKinley, testified at the inquest that he heard Lieut. Trotter calling Dr. Baker and after inquiring about the matter he and Lieut. Trotter went on the run to Garber's quarters. He saw the officer lying on his back with blood running from his mouth and a wound in the back of his head. In the next fifteen minutes he gasped several times and then expired. The pistol was lying at the wounded man's feet with one cartridge discharg-The end of the barrel was cov-

Dr. Chas, L. Baker testified that after being called by Lieut. Trotter he ran to the quarters of Lieut, Garber and at once saw that the young man had no chance to live. A first he could cord was severed together with other

At the camp there is no suggestion a member of the copartnership. In be in good shape. That the tragic end court of course I had to state that I may have been sought through weakone of the wagonettes and lay down

Underwriting & Trust Co. of San It is significant that while at the lu-Francisco, which firm Strauch says au he was greatly exercised over his guarantees all the contracts of his So- failure to procure a cigarette, He ciety?" asked the reporter.
"I know absolutely nothing of it. As search was made for one. Tobacco was Judge A. N. Kepoikai on July I. a cigarette from his tent-mate but the latter had none. His statement concerning the copartnerhsip, its work, where it banks money received, or anything concerning the conduct of the business of the Society?"

Later had hole. His statement concerning the work, erning his utter failure to stop drinking possibly made the failure to get a cigarette a sensitive matter to him, and it is believed that had he procured a cerning his utter failure to stop drinkit is believed that had he procured a issued to him by special authorization cigarette and smoked it, his nerves of Attorney General Knox.

note, and then fired the fatal shot.

Lieutenant Garber was commissioned from civil life, and formerly had been young lady at his former home,

A strange fate seems to be following Presidio. Just before the companies sailed for Honolulu, Lieut. Victor Lewis suddenly deserted and disappeared.

## War Booms His Trade.

The manager of a New York concern that deals in artificial limbs and such things is watching the outcome of the war in the Far East with more than ordinary interest.

"After the civil war," he said, "this house, which up to that time occupied cramped quarters, had to branch out in order to meet the demands upon its business. We noticed no increase in The suicide took place about two our trade growing out of the Spanisho'clock yesterday morning in Lieuten. American war. But we expect to open yesterday morning at Camp McKinley ant Garber's room, which adjoins that a house in Tokio, and maybe at Harbin

"It would be of no use doing so before. While the war lasts the hospitals will take care of the maimed. When the officers and friends gathered about it is over and the mahned survivors

profound sorrow over the tragic fate of the young officer, and it is quite ples in a city like New York, made so possible that, under the circumstances, by the many accidents which occur

It is an erroneous impression. "My business is a barometer on such

# IS DENIED

## **Doctors to Contradict** Mrs. Maage---Other Court Notes.

(From Sunday's Advertiser)

Holmes & Stanley have filed a motion in the divorce suit of Frederick W. Maage vs. Mary (Molly) Maage, for a commission to take the testimony of Dr. Joseph W. Henry and Dr. Arthur McGinty in San Francisco. Stanley supports the motion with an affidavit to the effect that the physicians will testify that the libeliee, Maage, was not a patient at St. Mary's Hospital during the year 1897 as alleged in her answer to libellant's complaint, but that she was a patient in said hospital from April 25, 1898, until August 24, 1898, and that the trouble for which she entered the hospital then was alcoholic neuritis.

Josephine L. Cornwell, widow of W. H. Cornwell, has filed an election to take the provision made for her in the will of her late husband, renouncing her right to dower in his estate.

American-Hawaiian Engineering & Construction Co., Ltd., by its attorneys, Castle & Withington, appeals to the Supreme Court from the decree of injunction made in favor of John Lucas. plaintiff, with regard to the Brewer's wharf contract.

Judge Robinson granted Joseph Howard Love a divorce against Mary Morse Love. Frank Andrade appeared for libellant, the libellee making no appearance in person or by counsel. The couple was married October 30, 1903, or only

eight months ago. Ninette Scott, executrix of the will of John F. Scott, has filed an inventory showing real estate valued at \$4000, personal property at \$50 and interest in an Alaskan mining claim of value unknown.

In the equity suit of L. H. Dee vs. W. H. Smith, plaintiff by his attorneys, J. Alfred Magoon and J. Lightfoot, appeals to the Supreme Court from Judge Gear's decree in favor of the defend-Helen G. Alexander has brought an

action against Mary A. S. Rose, claiming \$1000 damages for right of way obstructed since August 20, 1894, upon property in Fort street, near Vineyard street. M. Phillips & Co. sue Wong Sal for

\$396.19, with interest and costs, on account of merchandise sold and delivered. Edmund H. Hart took the oath as a deputy clerk of the judiciary depart-ment for the Second Circuit before

U. S. Commissioner A. F. Judd released Hoo Chun from a charge of persuch concern, or in fact with anybody. Garber and this one he smoked. Just I leased Hoo Chun from a charge of perjury after examination yesterday. J.

I know nothing of any of the acts of the copartnership."

Garber and this one he smoked. Just jury after examination yesterday. J.

J. Dunne presented the information, and the copartnership." conducted the defense. Walter B. Maling, Federal court clerk, on the witness stand showed a commission he holds as United States Commissioner,

> Thomas Mullen is suing John Walker for \$512.10, on account of work done on

#### Pepper for Profit.

Now comes pepper. Everybody on Maui knows that pepper is indigenous in the customs service. He was about to our soil, but so far its commercial once set out, lives indefinitely with but a small amount of moisture. Fifteen to be married next year in June to a hundred healthy plants will grow per acre, and will yield at least two pounds Lieutenant Wesley K. Hamilton will of pepper per year, without cultivation, or other labor save harvesting the crop. This opens up a new industry for Maul. -Maui News.

#### Different So

Lots of Claims Like This, But so Different—Local Proof is What Honolulu People Want.

There are a great many of them. Every paper has its share. Statements hard to believe, harder to Statements from far-away places

What people say in Florida. Public expressions from California. Ofitimes good endorsement there. But of little service here at home. Honotulu people want local proof The sayings of neighbors, friends and citizens.

Home indorsement counts It disarms the skeptic; is beyond dis-

This is the backing that stands behind every box of Doan's Kidney Pills. Here is a case of it: Mr. Cyrus S. Edison of Kapiolani

will want what we shall have to offer.
"It is quite common to hear people talk about the great numbers of cripples in a city like New York, made so by the many accidents which occur doubt the cause of my kidney disorder. I had the ordinary symptoms of this